

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

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|---------------------------|---|----------------------|
| ANTONIO NATHANIEL |) | |
| SPEED-BEY, |) | |
| |) | |
| Movant, |) | |
| |) | |
| v. |) | No. 4:16-CV-1699 RWS |
| |) | |
| UNITED STATES OF AMERICA, |) | |
| |) | |
| Respondent, |) | |

MEMORANDUM AND ORDER

Antonio Speed-Bey moves the Court to vacate, set aside, or correct sentence under 28 U.S.C. § 2255. The motion is denied.

Movant was found guilty by a jury of being a felon in possession with a firearm. *United States v. Speed*, No. 4:13-CR-295 RWS. The Court sentenced him to eighty-four months' imprisonment. The Court of Appeals for the Eighth Circuit affirmed the judgment and sentence.

Movant brings two grounds for relief. First, he argues that "future custody under a judgment of the district court would violate the Constitution." Second, he maintains that this Court lacked jurisdiction over him because he is an "alien detainee."

Both grounds for relief are legally frivolous. He is currently in the custody of the Bureau of Prisons. So, he is not subject to future custody. To the extent that

he is arguing that the Court's imposition of supervised release is unconstitutional or violates the laws of the United States, his claim is meritless. Supervised release is authorized under 18 U.S.C. § 3583, and it does not violate a defendant's right to due process. *E.g., United States v. Camacho-Dominguez*, 905 F.2d 82, 84 (5th Cir. 1990).

His second ground for relief appears to be based on his claim, in the underlying criminal case, of being Moorish-American. Fatal to his assertion of immunity, however, is the non-recognition of the Moorish Nation as a sovereign state by the United States. *See, e.g., Benton-El v. Odom*, 2007 WL 1812615 *6 (M.D. Ga. June 19, 2007).

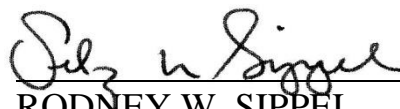
Finally, movant has failed to demonstrate that jurists of reason would find it debatable whether he is entitled to relief. Thus, the Court will not issue a certificate of appealability. 28 U.S.C. § 2253(c).

Accordingly,

IT IS HEREBY ORDERED that this action is **DISMISSED** with prejudice.

An Order of Dismissal will be filed forthwith.

Dated this 7th day of November, 2016.



RODNEY W. SIPPEL
UNITED STATES DISTRICT JUDGE